

## Message Text

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SUBJ: SOUTH AFRICANS DISCUSS CONSTITUTIONAL ALTERNATIVES

AT CONFERENCE IN GERMANY

REF: A. DURBAN 121 B. DURBAN 360

1. SUMMARY: THE STUDY OF BLACK AND WHITE SOUTH AFRICAN POLITICAL ATTITUDES PRESENTED TO THE RECENT CONFERENCE OF SOUTH AFRICAN LEADERS IN GERMANY CONCLUDED THAT A FEDERAL GOVERNMENTAL STRUCTURE BASED ON "CONSOCIATION" OR RECOGNITION OF GROUP IDENTITY AND AUTONOMY WOULD BE THE ONLY TYPE ACCEPTABLE TO A MAJORITY OF ALL SOUTH AFRICAN RACIAL GROUPS. ACCORDING TO ONE SOCIAL SCIENTIST WHO PLAYED A MAJOR ROLE IN THE STUDY, THE SAG HAS ALREADY MOVED IN THAT DIRECTION THROUGH ITS NEW CONSTITUTIONAL PROPOSALS. END SUMMARY.

2. A STUDY OF "SOUTH AFRICA: PEACEFUL CHANGE?" PREPARED BY THE ARNOLD BERGSTRAESSER INSTITUTE FOR THE RECENT CONFERENCE OF UNCLASSIFIED

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SOUTH AFRICAN LEADERS IN GERMANY (REF B) CONCLUDED THAT A FEDERALIZED SOCIO-POLITICAL SYSTEM BASED ON "CONSOCIATION" IS THE ONLY POSSIBLE LONG-RANGE SOLUTION TO SOUTH AFRICA'S POLITICAL DILEMMA. INSTITUTE HEAD PROF. THEO HANF TOLD THE CONFERENCE THAT BASED ON THE STUDY'S ANALYSIS OF WHITE AND BLACK ATTITUDES (REF B), NEITHER APARTHEID NOR INTEGRATION WAS ACCEPTABLE SINCE WHITES REJECTED THE LATTER, BLACKS THE FORMER. HOWEVER, THE STUDY

SHOWED, A GROWING MINORITY OF WHITES AND A LARGE MAJORITY OF BLACKS WERE PREPARED TO SHARE POWER AND WHITES WERE PREPARED TO FOLLOW SAG LEADERSHIP WHEREVER IT LED. THIS MEANT, HANF STATED, THAT THE SAG COULD BE THE MAIN INITIATOR OF CHANGE AND CONSOCIATION WAS THE ONLY LOGICAL CHOICE SINCE IT WOULD CALM WHITE FEARS WHILE FULFILLING THE ASPIRATIONS OF THE MAJORITY OF BLACKS. AT THE SAME TIME SUCH A SYSTEM COULD RESTORE BOTH DOMESTIC TRANQUILITY AND SOUTH AFRICA'S RELATIONS WITH THE REST OF THE WORLD.

3. AS OUTLINED IN THE STUDY, A SOUTH AFRICAN "CONSOCIATIONAL

DEMOCRACY" WOULD RESEMBLE THE SWA/NAMIBIA TURNHALLE SYSTEM AND WOULD HAVE FOUR ESSENTIAL ELEMENTS:

--- A GRAND COALITION ALONG SWISS LINES WITH JOINT CONSENSUAL RULE;

--- PROPORTIONAL REPRESENTATION OF EACH GROUP AND ABANDONMENT OF THE WESTMINSTER SYSTEM;

--- SEGMENTAL AUTONOMY, WITH EACH ETHNIC GROUP RESPONSIBLE FOR ITS OWN AFFAIRS;

--- MUTUAL VETO RIGHTS FOR MINORITIES, IMPLYING RULE BY UNANIMITY.

THE SYSTEM WOULD INSTITUTIONALIZE MAXIMUM LOCAL AUTONOMY IN GEOGRAPHIC STATES OR PROVINCES AS A MEANS OF PROTECTING THE UNCLASSIFIED

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ETHNIC AND CULTURAL DIFFERENCES OF EACH AREA. THE CENTRAL GOVERNMENT WOULD OPERATE ON THE SWISS MODEL, AND WOULD HAVE PROPORTIONAL REPRESENTATION AND DECISION-MAKING BY CONSENSUS.

4. MUCH OF THE FOUR DAY CONFERENCE WAS SPENT IN DEBATING THIS PROPOSAL AND OTHER CONSTITUTIONAL ALTERNATIVES. ACCORDING TO NATAL UNIVERSITY SOCIAL SCIENTIST LAWRENCE SCHLEMMER, WHO DIRECTED THE RESEARCH INTO BLACK ATTITUDES (REF B), NO CONSENSUS EMERGED ON CONSOCIATION OR ANY OTHER SYSTEM. HOWEVER, HE SAID, THE SAG'S PROPOSED CONSTITUTIONAL SYSTEM CONTAINS THE SEEDS OF CONSOCIATION SINCE IT IS, IN THEORY, A COALITION OF WHITES, INDIANS, AND COLOREDS WITH CONSENSUAL RULE, HAS PROPORTIONAL REPRESENTATION, REJECTS THE WESTMINSTER SYSTEM, AND GIVES EACH GROUP AUTHORITY OVER ITS OWN AFFAIRS. (THE TRIPARTITE PARLIAMENTARY SYSTEM IS, OF COURSE, "SHAM CONSOCIATION" SINCE IT EXCLUDES THE BLACK MAJORITY.) THE SAG, SCHLEMMER, ASSERTED, REALIZES THIS AND HAS MADE A NUMBER OF CONTINGENCY PLANS TO INCLUDE BLACKS IN A SYSTEM RESEMBLING CONSOCIATION ONCE ALL (OR MOST) OF THE HOMELANDS HAVE BECOME INDEPENDENT. HE PREDICTED THAT WITHIN TWO TO THREE YEARS THE SAG WOULD INTRODUCE A FOURTH PARLIAMENT (FOR URBAN BLACKS) INTO THE SYSTEM. AS PROOF OF THIS CONTENTION HE POINTED TO RECENT NEWSPAPER REVELATIONS THAT SAG'S

CONSTITUTIONAL PLANNERS ARE BASING THEIR LONG-RANGE PLANNING ON A QUADRAPARTITE PARLIAMENTARY SYSTEM. HOWEVER, HE SAID, THE NATIONAL PARTY WOULD (AS THEY HAVE IN THE TRIPARTITE SYSTEM) ATTEMPT TO INCLUDE ELEMENTS WHICH WOULD ASSURE CONTINUED WHITE RULE. BUT UNTIL THE SAG SOLVED THE PROBLEM OF CHIEF BUTHELEZI'S ADAMANT STAND AGAINST INDEPENDENCE FOR KWAZULU (PERHAPS, HE SAID, BY MASSIVE LAND CONSOLIDATIONS), ANY SUCH SYSTEM WOULD BE UNWORKABLE.

5. COMMENT: THE BERGSTRAESSER INSTITUTE STUDY'S CONCLUSIONS ON CONSTITUTIONAL CHANGE CLOSELY MIRROR THOSE OF THE FEBRUARY 1978 CONSTITUTIONAL CONFERENCE AT NATAL UNIVERSITY (REF A) AND A CONFERENCE ON PLURAL SOCIETIES HELD IN DURBAN IN NOVEMBER 1977. EACH GATHERING CONSISTED OF DIFFERENT GROUPS OF ACADEMICS (EXCEPT FOR SCHLEMMER, WHO PLAYED AN INTEGRAL ROLE IN EACH AND IS ONE OF UNCLASSIFIED

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SOUTH AFRICA'S MOST RESPECTED SOCIAL SCIENTISTS). YET EACH AGREED THAT SINCE SOUTH AFRICA WAS A PLURAL SOCIETY, FEDERALISM, GROUP AUTONOMY, RULE BY CONSENSUS, AND LIMITED CENTRAL GOVERNMENT WERE ESSENTIAL TO A WORKABLE CONSTITUTIONAL SYSTEM. HOWEVER ANOTHER ELEMENT OF THIS APPARENT ACADEMIC CONSENSUS ON CONSTITUTIONAL CHANGE WAS THAT BEFORE NEGOTIATIONS ON A NEW SYSTEM COULD BEGIN, ALL DISCRIMINATORY LEGISLATION HAD TO BE ABOLISHED, CITIZENS HAD TO BE EDUCATED AS TO THEIR RIGHTS AND DUTIES UNDER CONSTITUTIONAL GOVERNMENT, AND ALL GROUPS HAD TO BE PERMITTED TO NEGOTIATE AS EQUALS. TO DATE THE SAG HAS ONLY DICTATED THE TERMS OF CONSTITUTIONAL CHANGE AND PERMITTED LITTLE INPUT BY COLOREDS OR INDIANS, MUCH LESS BLACKS. UNLESS, THE PARTICIPANTS IN THESE CONFERENCES AGREED, THE SAG BOTH PAVES THE WAY FOR CONSTITUTIONAL NEGOTIATIONS WITH EXTENSIVE SOCIO-ECONOMIC CHANGES AND BARGAINS IN GOOD FAITH WITHOUT REQUIRING CONTINUED WHITE DOMINANCE, THE CHANCES ARE SMALL THAT CONSTITUTIONAL APPROACHES ALONE CAN SOLVE SOUTH AFRICA'S POLITICAL DILEMMA. FARBER

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